IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLIATION NO.1323/06

Shri.Sudesh Bhimrao Thorat .... Applicant

V/s.

The State of Maharashtra .... Respondent

Shri.Rahul S. Kate Adv. for the applicant.
Miss.S.V. Gajre APP for the State.

CORAM : V.M. KANADE, J.

DATED : 18/04/06

P.C.:-

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. The applicant was arrested on 23/11/2005 in connection with C.R.No.131/2005 registered with Akluj Police Station for the offences punishable U/s.395, 397 of IPC. Chargesheet has been filed. The present applicant was not identified by any other witnesses. Only material against him is that there is recovery of 18,500/- at his instance. No specific role is attributed to the present applicant. Out of 11 accused which were initially arrested, one accused is

released for want of evidence U/s.169 of Cr.P.C. There is allegation that the applicant used any lethal weapon in the said incident.

3. Considering facts and circumstances of the case the applicant be released on bail in the sum of Rs.5,000/- with one or two sureties in like amount. The applicant shall report to Akluj Police Station twice in a month.

4. The applicant shall not tamper with the evidence or threaten the witnesses. If any complaint is received by the Investigating Officer, the Public Prosecutor is at liberty to file an application for cancellation of bail.

5. The Trial Court shall not be influenced by any observations made by this Court while deciding the application and they shall not be construed as an expression of opinion on merits of the case.

6. The application is accordingly disposed of.

V.M. KANADE J.